MADRAS ACT No. 1 OF 1873.

Notification by the Government of India, Foreign Department, Judicial No. 88 *J., dated Fort William, the* 22*nd May* 1874.

His Excellency the Viceroy and Governor-General in Council is pleased to extend to Mysore the provisions of Madras Act I of 1873 (an Act to prevent the indiscriminate destruction of Wild Elephants).

(RECEIVED THE ASSENT OF THE GOVERNOR ON THE 21ST APRIL 1873, AND OF THE GOVERNOR-GENERAL ON THE 15TH MAY 1873.)

An Act to prevent the indiscriminate destruction of Wild Elephants.

WHEREAS it is expedient to make provision to prevent the indiscriminate destruction of wild elephants within the Presidency of Madras; It is hereby enacted as follows:— Preamble.

1. This Act extends to the territories for the time being subject to the Government of the Presidency of Fort St. George; and it shall come into force on the first day of October 1873. Local extent.

2. From and after the said day, the destruction of wild elephants is prohibited, except as hereinafter provided. Commencement.

3. Whoever shoots at, or intentionally destroys, or abets, within the meaning of the Indian Penal Code, the shooting at, or destruction of, any wild female elephant upon waste or forest land, whether such land be the property of Government or otherwise, shall be liable to a penalty not exceeding five hundred rupees, and, in default of payment, to simple or rigorous imprisonment for a period not exceeding three months. Destruction of wild elephants prohibited. Penalty for destroying female elephants.

Any person convicted under this Act of an offence committed after his previous conviction under this Act, shall be liable to a penalty not exceeding one thousand rupees, and, in default of the payment, to simple or rigorous imprisonment for a period not exceeding six months.

Sections 4—9.

Penalty for destroying male elephant on Goverment land without license.

4. Whoever, not being authorized thereto by a license granted under the provisions of section 7, shoots at, or intentionally destroys, or abets, within the meaning of the Indian Penal Code, the shooting at, or destruction of, any wild male elephant upon waste or forest land, the property of the Government, shall, upon a first or second conviction, be liable to the penalties and periods of imprisonment respectively provided for a first or second conviction in section 3 of this Act.

Saving clause as to destruction of male elephants on zemindary or private land.

5. Nothing in this Act shall be deemed to prevent any zemindar or other proprietor or occupier of land, or any person duly authorized in that behalf by any such zemindar, proprietor, or occupier, from destroying wild male elephants upon the waste or forest lands of such zemindar, proprietor or occupier.

Saving clause as to destruction of elephants on cultivated lands, etc.

6. Nothing in this Act shall be deemed to prevent any person from shooting at, or destroying any wild male or female elephant found upon cultivated lands, or upon or in the immediate vicinity of any public road, or to prevent any person from shooting at or destroying any male or female elephant in defence of himself or any other person.

License to shoot male elephants.

7. The Collector or other officer in charge of a district may, subject to such rules as may, from time to time, be made by the Local Government, issue a license to any person authorizing him by name to shoot wild male elephants upon waste or forest lands, the property of the Government, in such district, for the period of one year from the date of the grant of such license.

Every such license shall become void at the expiration of the said period, but may be renewed by such Collector or other officer for a like period.

Proviso.

Provided that every such license shall become void upon the conviction under this Act of the person to whom such license was granted.

Power to make rules for grant or renewal of licenses.

8. The Local Government may make rules for regulating the grant or renewal of licenses under this Act, and the fees to be charged on such grant or renewal, and may, from time to time, alter or cancel such rules.

Limitation of prosecution.

9. Every prosecution under this Act shall be commenced within a period of six months from the date of the offence in respect of which it is instituted.